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Customer No. 01333

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Kenneth A. Parulski

CAMERA HAVING USER  
INTERFACE AMBIENT SENSOR  
VIEWER ADAPTATION  
COMPENSATION AND METHOD

Serial No. 09/748,664

Filed 22 December 2000

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

Group Art Unit: 2612

Examiner: Kelly L. Jerabek

I hereby certify that this correspondence is being  
deposited today with the United States Postal  
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Alexandria, VA 22313-1450.

*Jeanette Kramarz*  
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Jeanette Kramarz  
*September 22, 2004*  
\_\_\_\_\_  
Date

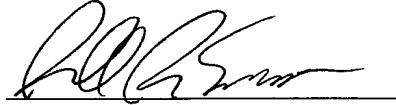
**RESPONSE TO REQUIREMENT FOR RESTRICTION AND ELECTION**

In response to the restriction requirement set forth in the Office Action mailed August 26, 2004, the Applicants hereby confirm election of species 13. The Applicants further respectfully traverse the thirteen-way restriction requirement. The present application is one of three pending applications using a common specification, each of which is currently pending before this Examiner, namely, Serial No. 09/748,664, Serial No. 09/747,680 and Serial No. 09/748,667. In each of these applications the Examiner has issued the same thirteen-way restriction requirement.

The Applicants respectfully submit that the Examiner has failed to show adequate justification for a thirteen-way restriction in this matter. In particular, it is the Applicants' position that the species identified as species 1-3 are sub-species of the species elected hereby. Further, it is the Applicants' position that to the extent that subject matter from other non-elected species are used in the elected species, such other non-elected species are sub-species with respect to the elected species. Applicants reserve the right to submit further argument in support of the traverse.

All claims in this application are believed to be generic to the elected species.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Roland R. Schindler II', is written over a horizontal line.

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